

## PATENT COOPERATION TREATY

## PCT

## INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

(Rationalised Report according to the Notice of the President of the EPO published in the OJ11/2001)

Applicant's or agent's file reference <b>L/2AL38/17</b>	FOR FURTHER ACTION	See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)
International application No. <b>PCT/EP03/09384</b>	International filing date (day/month/year) <b>22/08/2003</b>	Priority date (day/month/year) <b>30/08/2002</b>
International Patent Classification (IPC) or national classification and IPC <b>A23L1/08</b>		
Applicant <b>CAMPINA B.V.</b>		

1. This International preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.

2. This REPORT consists of a total of 2 sheets, including this cover sheet.

This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).

These annexes consists of a total of \_\_\_\_\_ sheets.

3. This report contains indications relating to the following items:

- I  Basis of the report
- II  Priority
- III  Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- IV  Lack of unity of invention
- V  Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- VI  Certain documents cited
- VII  Certain defects in the international application
- VIII  Certain observations on the international application

Date of submission of the demand <b>18/02/2004</b>	Date of completion of this report <b>09/06/2004</b>
Name and mailing address of the IPEA/ European Patent Office D-80298 Munich Tel (+49-89) 2399-0, Telex 523656 opmu d Fax (+49-89) 2399-4465	Authorized officer <b>KASPERS H M C</b> Tel. (+49-89) 2399 2828



**INTERNATIONAL PRELIMINARY  
EXAMINATION REPORT**

International application No. **PCT/EP03/09984**

**I. Basis of the report**

The basis of this international preliminary examination is the application as originally filed.

**V. Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or  
industrial applicability**

In light of the documents cited in the international search report, it is considered that the invention as defined in at least some of the claims does not appear to meet the criteria mentioned in Article 33(1) PCT, i.e. does not appear to be novel and/or to involve an inventive step (see international search report, in particular the documents cited X and/or Y and corresponding claim references).

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REC'D	15 JUN 2004
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**INTERNATIONAL PRELIMINARY EXAMINATION REPORT**

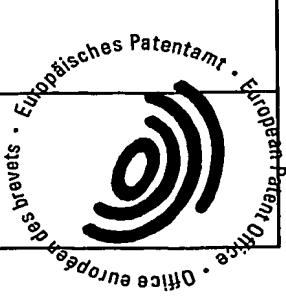
(PCT Article 36 and Rule 70)

(Rationalised Report according to the Notice of the President of the EPO published in the OJ11/2001)

Applicant's or agent's file reference <b>L/2AL38/17</b>	<b>FOR FURTHER ACTION</b>	See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)
International application No. <b>PCT/EP03/09384</b>	International filing date (day/month/year) <b>22/08/2003</b>	Priority date (day/month/year) <b>30/08/2002</b>
International Patent Classification (IPC) or national classification and IPC <b>A23L1/08</b>		
Applicant <b>CAMPINA B.V.</b>		

<p>1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.</p> <p>2. This REPORT consists of a total of <u>2</u> sheets, including this cover sheet.</p> <p><input type="checkbox"/> This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).</p> <p>These annexes consists of a total of _____ sheets.</p> <p>3. This report contains indications relating to the following items:</p> <p>I <input checked="" type="checkbox"/> Basis of the report</p> <p>II <input type="checkbox"/> Priority</p> <p>III <input type="checkbox"/> Non-establishment of opinion with regard to novelty, inventive step and industrial applicability</p> <p>IV <input type="checkbox"/> Lack of unity of invention</p> <p>V <input checked="" type="checkbox"/> Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement</p> <p>VI <input type="checkbox"/> Certain documents cited</p> <p>VII <input type="checkbox"/> Certain defects in the international application</p> <p>VIII <input type="checkbox"/> Certain observations on the international application</p>
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Name and mailing address of the IPEA/ European Patent Office D-80298 Munich Tel. (+49-89) 2399-0, Tx: 523656 epmu d Fax: (+49-89) 2399-4465	Authorized officer <b>KASPERS H M C</b> Tel. (+49-89) 2399 2828



**INTERNATIONAL PRELIMINARY  
EXAMINATION REPORT**

International application No. PCT/EP03/09384

**I. Basis of the report**

The basis of this international preliminary examination is the application as originally filed.

**V. Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability**

In light of the documents cited in the international search report, it is considered that the invention as defined in at least some of the claims does not appear to meet the criteria mentioned in Article 33(1) PCT, i.e. does not appear to be novel and/or to involve an inventive step (see international search report, in particular the documents cited X and/or Y and corresponding claim references).

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## INTERNATIONAL SEARCH REPORT

PCT/EP 03/09384

A. CLASSIFICATION OF SUBJECT MATTER					
IPC 7	A23L1/00	A23J3/10	A23J3/00	A23F5/40	A23G1/00
	A23C11/00				

According to International Patent Classification (IPC) or to both national classification and IPC

### B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)  
 IPC 7 A23L A23J A23F A23G A23C

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the International search (name of data base and, where practical, search terms used)

WPI Data, PAJ, EPO-Internal, FSTA

### C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	EP 0 813 815 A (KRAFT FOODS INC) 29 December 1997 (1997-12-29) claims 1-16	1,8, 18-22
X	EP 1 228 694 A (NESTLE SA) 7 August 2002 (2002-08-07) paragraph '0048!; claims 1-4	1,8,23
X	WO 02 060283 A (UNILEVER PLC ;LEVER HINDUSTAN LTD (IN); UNILEVER NV (NL)) 8 August 2002 (2002-08-08) claims 1-8,21,22	1,12,15
A	EP 1 074 181 A (NESTLE SA) 7 February 2001 (2001-02-07) cited in the application page 3; claims 1-10; example 2	1,18-23

Further documents are listed in the continuation of box C.

Patent family members are listed in annex.

#### \* Special categories of cited documents :

- \*A\* document defining the general state of the art which is not considered to be of particular relevance
- \*E\* earlier document but published on or after the international filing date
- \*L\* document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)
- \*O\* document referring to an oral disclosure, use, exhibition or other means
- \*P\* document published prior to the international filing date but later than the priority date claimed

- \*T\* later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention
- \*X\* document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone
- \*Y\* document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.
- \*&\* document member of the same patent family

Date of the actual completion of the international search	Date of mailing of the International search report
10 November 2003	25/11/2003
Name and mailing address of the ISA	Authorized officer
European Patent Office, P.B. 5818 Patentlaan 2 NL - 2280 HV Rijswijk Tel: (+31-70) 340-2040, Tx. 31 651 epo nl, Fax: (+31-70) 340-3016	Desmedt, G

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## INTERNATIONAL SEARCH REPORT

Information on patent family members

PCT/EP 03/09384

Patent document cited in search report	Publication date	Patent family member(s)		Publication date
EP 0813815	A 29-12-1997	AT 238679 T		15-05-2003
		CA 2205773 A1		21-12-1997
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		HU 9701077 A2		30-03-1998
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		EP 1355544 A2		29-10-2003
		US 2002155208 A1		24-10-2002
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		CN 1377233 T		30-10-2002
		WO 0108504 A1		08-02-2001
		EP 1206193 A1		22-05-2002
		HU 0202302 A2		28-10-2002
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